

In Re: :  
BIBI FATHEMA DOWLUT, : Bankruptcy No. 18-70651JAD  
Debtor(s), : Chapter 13  
X  
ENTERPRISE BANK :  
Movant(s), :  
- vs - : Doc. No. 33  
BIBI FATHEMA DOWLUT, :  
Respondent(s). : X

**ORDER SETTING (A) DISCOVERY DEADLINES AND OTHER RELATED DATES AND (B)**  
**EVIDENTIARY HEARING/TRIAL ON MOTION**

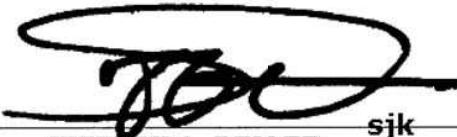
AND NOW, this 4th day of December, 2018, regarding the *Motion For Relief From Automatic Stay Pursuant to 11 U.S.C. § 362(c)* filed by Enterprise Bank, the Court **HEREBY ORDERS** that:

1. An **evidentiary hearing/trial** is now scheduled for March 8, 2019, at 12:00 PM in Courtroom B, Penn Traffic Building, 319 Washington Street, Johnstown, PA 15901. Only (2) hours of time has been set aside for this matter. The parties are encouraged to present direct testimony by way of affidavit if possible. To the extent a party elects to introduce direct testimony by way of affidavit or unsworn declaration pursuant to 28 U.S.C. § 1746, the parties are to confer prior to the scheduled trial date and resolve any and all evidentiary objections with respect to any affidavit or declaration to be submitted to the Court at trial. To the extent a party desires to cross-examine any witness testifying by way of affidavit or declaration, such witness providing an affidavit or declaration must be present at trial so that the opposing party may cross-examine the witness.

2. **Discovery** on this matter is open and **shall close February 4, 2019**.
3. At least seven (7) days prior to the evidentiary hearing set forth above, each party shall file proposed exhibits and hand deliver a courtesy copy of the same to the Court for use by the Court at the hearing. Such exhibits shall be pre-marked and shall be placed in a binder for ease of use at trial. At least seven (7) days prior to the trial date set forth above, and to the extent expert testimony is to be offered at trial, each party shall file their respective expert reports (including appraisals).
4. The parties shall meet and confer to discuss resolution of the case and simultaneously review and agree upon all other documents to be offered by each party, without objection at the evidentiary hearing. At least seven (7) days prior to the evidentiary hearing, counsel to the Movant(s) shall prepare and file a Stipulation signed by all counsel of record identifying and referencing the agreed upon, marked exhibits to be offered at the evidentiary hearing, or alternatively, that no exhibits are to be used at the hearing, whichever the case may be. Included in the Stipulation shall be a statement detailing the extent, dates, times and narrative description of cooperation demonstrated by each party in preparing the Stipulation.
5. To the extent the parties agree to present their case upon stipulated facts and without live testimony, all or in part, the Stipulation to be filed and referred to in paragraph 4 above, shall also set forth all of the agreed upon facts to be relied upon by the Court in rendering its decision.
6. At least seven (7) days prior to the trial date, the parties shall file electronically with the Court, and serve on the other party, pre-trial memoranda which (a) identifies the material facts which are not in dispute, (b) identifies the material facts which the party intends to prove, (c) identifies and calculates the ultimate claim for relief (including claims and/or claims for damages) or any defenses thereto, and (d) identifies and discusses applicable legal authority upon which such party relies upon

7. To the extent the identity of any party is a shorthand name of a corporate entity, the parties are also directed to meet and confer to determine the proper name and identity of the party in this matter, and, if necessary, file a stipulation correcting the caption of this adversary proceeding or contested matter with the Court at least seven (7) days prior to the evidentiary hearing scheduled above.
8. The failure of any party to comply with the terms of this Order may result in the imposition of sanctions on said party, including without limitation, prohibition against such party from offering testimony at the evidentiary hearing and/or the entry of judgment against the offending party.

Date: 12/4/2018



JEFFERY A. DELLER  
United States Bankruptcy Judge

**CASE ADMINISTRATOR TO MAIL:**

Debtors  
James R. Huff, Esq.  
Joseph A. Fidler, Esq.  
Chapter 13 Trustee  
Office of the United States Trustee

FILED  
12/4/18 12:45 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

**Certificate of Notice Page 4 of 4**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Bibi Fathema Dowlut  
 Debtor

Case No. 18-70651-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-7

User: llea  
 Form ID: pdf900

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Dec 04, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 06, 2018.

db +Bibi Fathema Dowlut, 365 Oak Knoll Road, Hollidaysburg, PA 16648-2613

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 06, 2018

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 4, 2018 at the address(es) listed below:

Beverly Weiss Manne on behalf of Creditor NORTHWEST BANK bmanne@tuckerlaw.com, bewmanne@aol.com  
 Christopher M. McMonagle on behalf of Creditor M&T Bank cmcmونagle@sterneisenberg.com, bkecf@sterneisenberg.com  
 James Warmbrodt on behalf of Creditor Deutsche Bank National Trust Company, as Trustee, et al... bkgroup@kmllawgroup.com  
 James Warmbrodt on behalf of Creditor M&T Bank bkgroup@kmllawgroup.com  
 James R. Huff, II on behalf of Debtor Bibi Fathema Dowlut jhuff@sfshlaw.com  
 Jeffrey A. Muriceak on behalf of Creditor Altoona First Savings Bank jmuriceak@eveyblack.com, choover@eveyblack.com  
 Joseph A. Fidler on behalf of Creditor Enterprise Bank jfidler@enterprisebankpgh.com  
 Matthew Christian Waldt on behalf of Creditor Select Portfolio Servicing, Inc. mwaldt@milsteadlaw.com, bkecf@milsteadlaw.com  
 Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
 Preston D. Jaquish on behalf of Creditor First Commonwealth Bank pjaquish@lenderlaw.com  
 Ronda J. Winnecour cmecf@chapter13trusteeewdpa.com  
 Sloane B. O'Donnell on behalf of Creditor NORTHWEST BANK sodonnell@tuckerlaw.com  
 TOTAL: 12